IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 31828 of 2007(L)

PETITIONER:

RAJEEV.R., OVERSEER, OFFICE OF THE
ASSISTANT DIRECTOR, SOIL CONSERVATION,
KOTTARAKARA-31.

BY ADV. SRI.SIBY MATHEW
SRI.A.A.MOHAMMED NAZIR

RESPONDENTS:

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1. THE DIRECTOR OF AGRICULTURE
(SC UNIT), THIRUVANANTHAPURAM-695 001.

2. DISTRICT SOIL CONSERVATION OFFICER,
KOLLAM 691 001.

3. SOIL CONSERVATION OFFICER,
KOTTARAKARA. 691 506.

4. B.RADHAMANI, 1ST GRADE DRAFTSMAN,
OFFICE OF THE SOIL CONSERVATION OFFICER,
MALAPPURAM 696 505.

BY ADV. SRI.M.V.THAMBAN
G.P.SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.31828/07

APPENDIX

PETITINER'S EXHIBITS:

EXT.P1 COPY OF THE RELEVANT EXTRACT OF THE ORDER DTD 22.9.07.

EXT.P2 COPY OF THE REPRESENTATION DTD 29.5.07 MADE BY THE PETITINER BEFORE R1.

EXT.P3 COPY OF THE REPRESENTATION DTD 18.7.07 BY THE PETITINER TO R1.

EXT.P4 COPY OF THE ORDER NO.E.(4)10352/07 DTD 26.9.07.

EXT.P5 COPY OF THE RELIVING ORDER OF THE PETITIONER DTD 1.6.07 FROM VYTHIRI.

EXT.P6 COPY OF THE ORDER PASSED BY R1 DTD 23.10.07.

EXT.P7 COPY OF THE TREATMENT CARD OF THE PETITIONER'S MOTHER AND THE SUMMAR OF THE TREATMENT.

/TRUE COPY/

V.GIRI,J.

W.P (C) No. 31828 of 2007

Dated this the 14th November, 2007

J U D G M E N T

Petitioner challenges Exhibit-P6 order of transfer issued by the 1st respondent by which he was transferred from Kottarakara to Malappuram, notwithstanding the fact that he was posted in Kottarakara only pursuant to Exhibit-P4 order dated 26.9.2007. Posting in Kottarakara itself was after taking note of the petitioners repeated requests as Exhibits P2 and P3. This Court at the time of admission of the writ petition passed an order of stay of transfer under Exhibit-P6 provided the petitioner had not been relieved from the office of the Soil Conservation Officer, Kottarakara.

2. Mr.Mohammed Nazir, learned counsel for the petitioner submits that petitioner was relieved before communication of the order of stay. But the grievance regarding Exhibit-P6 still subsists.

3. After having heard the learned counsel for the petitioner , the learned Standing Counsel for the 4th respondent and the learned Government Pleader, this writ petition is disposed of permitting the petitioner to file a representation

before the 1st respondent as regards Exhibit-P6 pointing out the facts which are mentioned in the writ petition. Such representation may be filed, within three weeks from today. Petitioner submits that some vacancies are due to arise in certain other places in Kollam. If that be so, the 1st respondent shall seriously consider the same and take a decision thereon, within a period of one month thereafter.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007